

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

**IN RE:**

Fredrick Allen Scollay  
Carolyn Ruth Fischer

Debtor(s)

Case No.: 19-04229  
Chapter: 13  
Plan filed on 02/18/2019  
Confirmation Hearing: 5/3/19  
Judge A. Benjamin Goldgar (Lake)

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**AMENDED OBJECTION TO CONFIRMATION OF PLAN FILED ON 02/18/2019**

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**NOW COMES** DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-R6, and/or its assigns (hereinafter “Movant”), by and through its attorneys, Codilis & Associates, P.C., and moves this Honorable Court for an Order denying confirmation of Debtor’s plan filed on 02/18/2019 and in support thereof states as follows:

1. Debtor filed a petition under Chapter 13 of Title 11, United States Bankruptcy Code on 2/18/19 and this Court has jurisdiction pursuant to 28 U.S.C. §1334 and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois;
2. Movant filed a claim secured by an interest in the real property commonly known as 22925 W Lakeview Ave # 4, Antioch, IL and that the Chapter 13 plan herein proposes that Debtor cure the pre-petition arrearage claim through the Chapter 13 Trustee while maintaining current, post-petition mortgage payments;
3. Movant has filed a proof of claim indicating a pre-petition arrearage in the amount of \$16,128.60 and post-petition mortgage payments of \$1,328.80;
4. That assuming Debtor makes all Chapter 13 plan payments in a timely fashion, the plan would have to be administered for approximately 87 months in order to pay Movant’s actual pre-petition arrearage in full and said cure is unreasonable and fails to adequately protect Movant’s interest;

5. That sufficient grounds exist for denial of confirmation as Debtor's plan:
  - a. Fails to cure Movant's filed pre-petition arrearage claim within a reasonable time;

**WHEREFORE**, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2004-R6 prays this Court deny confirmation of the plan allowing the fees and costs described herein to be added to the indebtedness pursuant to the terms of the note and mortgage, and for such other and further relief as this Court may deem just and proper.

Dated this 4/1/2019.

Respectfully Submitted,  
Codilis & Associates, P.C.

By: /s/ Joel P. Fonferko

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NOTE: This law firm is a debt collector.